

APPEAL NO. 031760  
FILED AUGUST 22, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on June 9, 2003. With regard to the disputed issues before her, the hearing officer determined that the respondent (claimant) had sustained a repetitive trauma injury on \_\_\_\_\_, and that the claimant had disability from December 17, 2002, to the date of the CCH.

The appellant (carrier) appeals, contending that the hearing officer's decision is against the great weight of the evidence. The claimant responds, urging affirmance.

DECISION

Reversed and Remanded.

The record of the proceedings was on audiotape. For the first 105 counter clicks, the audiotape was clear. At about 106 counter clicks, the audiotape became very static and inaudible. Section 410.203(a)(1) requires the Appeals Panel to consider the record developed at the CCH. See Texas Workers' Compensation Commission Appeal No. 93809, decided October 25, 1993. In that the audiotape was inaudible after the first 5 minutes or so, we are unable to properly review the record. Accordingly, we remand the case for reconstruction of the record.

Pending resolution of the remand, a final decision has not been made in this case. However, since reversal and remand necessitate the issuance of a new decision and order by the hearing officer, a party who wishes to appeal from such new decision must file a request for review not later than 15 days after the date on which such new decision is received from the Texas Workers' Compensation Commission's Division of Hearings, pursuant to Section 410.202 which was amended June 17, 2001, to exclude Saturdays and Sundays and holidays listed in Section 662.003 of the Texas Government Code in the computation of the 15-day appeal and response periods. See Texas Workers' Compensation Commission Appeal No. 92642, decided January 20, 1993.

The true corporate name of the insurance carrier is **AMERICAN HOME ASSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY  
800 BRAZOS, SUITE 750, COMMODORE 1  
AUSTIN, TEXAS 78701.**

---

Thomas A. Knapp  
Appeals Judge

CONCUR:

---

Judy L. S. Barnes  
Appeals Judge

---

Edward Vilano  
Appeals Judge